

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

AMENDED

In re: Mark Kesel

Case No. 10-41653

CHAPTER 11
MONTHLY OPERATING REPORT
(SMALL REAL ESTATE/INDIVIDUAL CASE)

SUMMARY OF FINANCIAL STATUS

MONTH ENDED: 02/28/10

PETITION DATE: 02/16/10

1. Debtor in possession (or trustee) hereby submits this Monthly Operating Report on the Accrual Basis of accounting (or if checked here the Office of the U.S. Trustee or the Court has approved the Cash Basis of Accounting for the Debtor).
Dollars reported in \$1

2. Asset and Liability Structure

- a. Current Assets
- b. Total Assets
- c. Current Liabilities
- d. Total Liabilities

	End of Current Month	End of Prior Month	As of Petition Filing
a. Current Assets	<u>\$31,570</u>		
b. Total Assets	<u>\$2,695,755</u>		
c. Current Liabilities	<u>\$0</u>		
d. Total Liabilities	<u>\$4,082,506</u>		
			<u>\$2,645,342</u>
			<u>\$4,083,006</u>
3. Statement of Cash Receipts & Disbursements for Month	Current Month	Prior Month	Cumulative (Case to Date)
a. Total Receipts	<u>\$6,979</u>		<u>\$6,979</u>
b. Total Disbursements	<u>\$6,979</u>		<u>\$6,979</u>
c. Excess (Deficiency) of Receipts Over Disbursements (a - b)	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
d. Cash Balance Beginning of Month	<u>\$6,570</u>		<u>\$6,570</u>
e. Cash Balance End of Month (c + d)	<u>\$6,570</u>	<u>\$0</u>	<u>\$6,570</u>
			Cumulative (Case to Date)
4. Profit/(Loss) from the Statement of Operations	Current Month	Prior Month	
5. Account Receivables (Pre and Post Petition)	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
6. Post-Petition Liabilities	<u>\$0</u>		
7. Past Due Post-Petition Account Payables (over 30 days)	<u>\$0</u>		

At the end of this reporting month:

- 8. Have any payments been made on pre-petition debt, other than payments in the normal course to secured creditors or lessors? (if yes, attach listing including date of payment, amount of payment and name of payee) Yes No X
- 9. Have any payments been made to professionals? (if yes, attach listing including date of payment, amount of payment and name of payee) X
- 10. If the answer is yes to 8 or 9, were all such payments approved by the court? X
- 11. Have any payments been made to officers, insiders, shareholders, relatives? (if yes, attach listing including date of payment, amount and reason for payment, and name of payee) X
- 12. Is the estate insured for replacement cost of assets and for general liability? X
- 13. Are a plan and disclosure statement on file? X
- 14. Was there any post-petition borrowing during this reporting period? X
- 15. Check if paid: Post-petition taxes ; U.S. Trustee Quarterly Fees ; Check if filing is current for: Post-petition tax reporting and tax returns: X. (Attach explanation, if post-petition taxes or U.S. Trustee Quarterly Fees are not paid current or if post-petition tax reporting and tax return filings are not current.)

I declare under penalty of perjury I have reviewed the above summary and attached financial statements, and after making reasonable inquiry believe these documents are correct.

Date: 03-22-2010

Responsible Individual

Mark Kesel

Revised 1/1/98

BALANCE SHEET
 (Small Real Estate/Individual Case)
 For the Month Ended 02/28/10

		<u>Check if Exemption Claimed on Schedule C</u>	<u>Market Value</u>
Assets			
1	Current Assets		
1	Cash and cash equivalents (including bank accts., CDs, etc.)		\$6,570
2	Accounts receivable (net)		
3	Retainer(s) paid to professionals		
4	Other: <u>Retainer to Bankruptcy Attorney</u>		\$25,000
5			
6	Total Current Assets		\$31,570
7	Long Term Assets (Market Value)		
7	Real Property (residential)		\$859,000
8	Real property (rental or commercial)		\$1,500,000
9	Furniture, Fixtures, and Equipment	X	\$5,225
10	Vehicles	X	\$4,000
11	Partnership interests		
12	Interest in corporations		
13	Stocks and bonds		\$6,673
14	Interests in IRA, Keogh, other retirement plans	X	\$287,583
15	Other: <u>Small balances from bank accts.</u>		\$304
16	Personal items	X	\$1,400
17	Total Long Term Assets		\$2,664,185
18	Total Assets		\$2,695,755
Liabilities			
19	Post-Petition Liabilities		
20	Current Liabilities		
19	Post-petition not delinquent (under 30 days)		
20	Post-petition delinquent other than taxes (over 30 days)		
21	Post-petition delinquent taxes		
22	Accrued professional fees		
23	Other:		
24			
25	Total Current Liabilities		\$0
26	Long-Term Post Petition Debt		
27	Total Post-Petition Liabilities		\$0
28	Pre-Petition Liabilities (allowed amount)		
28	Secured claims (residence)		\$889,373
29	Secured claims (other)		\$1,556,810
30	Priority unsecured claims		\$0
31	General unsecured claims		\$1,632,737
32	Total Pre-Petition Liabilities		\$4,078,920
33	Total Liabilities		\$4,078,920
34	Equity (Deficit)		
34	Total Equity (Deficit)		(\$1,383,165)
35	Total Liabilities and Equity (Deficit)		\$2,695,755

NOTE:

Indicate the method used to estimate the market value of assets (e.g., appraisals; familiarity with comparable market prices, etc.) and the date the value was determined.

SCHEDULES TO THE BALANCE SHEET

Schedule A Rental Income Information

List the Rental Information Requested Below By Properties (For Rental Properties Only)

	<u>Description of Property</u>	<u>Property 1</u> 1306 MLK Jr Way	<u>Property 2</u>	<u>Property 3</u>
1	Scheduled Gross Rents	<u>\$16,728</u>		
2	Less:			
3	Vacancy Factor			
4	Free Rent Incentives			
5	Other Adjustments			
6	Total Deductions	<u>\$9,749</u>	<u>\$0</u>	<u>\$0</u>
7	Scheduled Net Rents	<u>\$6,979</u>	<u>\$0</u>	<u>\$0</u>
8	Less: Rents Receivable (2)			
9	Scheduled Net Rents Collected (2)	<u>\$6,979</u>	<u>\$0</u>	<u>\$0</u>

(2) To be completed by cash basis reporters only.

Schedule B Recapitulation of Funds Held at End of Month

	<u>Account 1</u> Wells Fargo Bank	<u>Account 2</u> Bank of America	<u>Account 3</u> Mechanics Bank
10	Bank		
11	Account No.	<u>2883205755/115389050</u>	<u>41317564</u>
12	Account Purpose	<u>07028-01795</u>	<u>Personal</u>
13	Balance, End of Month	<u>\$796</u>	<u>\$379</u>
14	Total Funds on Hand for all Accounts	<u>\$6,570</u>	<u>\$5,395</u>

Attach copies of the month end bank statement(s), reconciliation(s), and the check register(s) to the Monthly Operating Report.

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

Increase/(Decrease) in Cash and Cash Equivalents

For the Month Ended 02/28/10

		Actual Current Month	Cumulative (Case to Date)
Cash Receipts			
1	Rent/Leases Collected		
2	Cash Received from Sales		
3	Interest Received		
4	Borrowings		
5	Funds from Shareholders, Partners, or Other Insiders		
6	Capital Contributions		
7	Net Rents Proceeds including laundry income	\$6,979	\$6,979
8			
9			
10			
11			
12	Total Cash Receipts	<u>\$6,979</u>	<u>\$6,979</u>
Cash Disbursements			
13	Selling		
14	Administrative		
15	Capital Expenditures		
16	Principal Payments on Debt		
17	Interest Paid		
18	Rent/Lease:		
19	Personal Property		
20	Real Property		
21	Amount Paid to Owner(s)/Officer(s)		
22	Salaries		
23	Draws		
24	Commissions/Royalties		
25	Expense Reimbursements		
26	Other		
27	Salaries/Commissions (less employee withholding)		
28	Management Fees		
29	Taxes:		
30	Employee Withholding		
31	Employer Payroll Taxes		
32	Real Property Taxes		
33	Other Taxes		
34	Other Cash Outflows:		
35	Living Expenses	\$4,204	\$4,204
36	Mortgage Payment	\$2,775	\$2,775
37	Total Cash Disbursements:	<u>\$6,979</u>	<u>\$6,979</u>
38	Net Increase (Decrease) in Cash	<u>\$0</u>	<u>\$0</u>
39	Cash Balance, Beginning of Period	<u>\$6,570</u>	<u>\$6,570</u>
40	Cash Balance, End of Period	<u>\$6,570</u>	<u>\$6,570</u>

PMA® Wells Fargo® PMA Package

If you have questions about this statement or your accounts:

Phone: **1-800-742-4932**, TTY: 1-800-600-4833
Spanish: 1-877-727-2932, TTY: 1-888-355-6052
Chinese: 1-800-288-2288

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A.
P.O. Box 6995
Portland, OR 97228-6995

MARK KESEL
59 STRATFORD RD
KENSINGTON CA 94707-1241

February 28, 2010

Total assets:	\$795.25
Last month:	\$1,508.34
Change in \$:	\$(713.09)
Change in %:	(47.28)%

Total liabilities:	\$198,680.81
Last month:	\$198,749.81
Change in \$:	\$(69.00)
Change in %:	(0.03)%

PMA Qualifying Balance:	\$199,476.06
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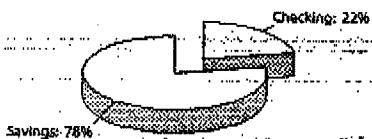


Overview of your PMA account

Assets

Account (Account Number)	Percent of total	Balance last month (\$)	Balance this month (\$)	Increase/decrease (\$)	Percent change
PMA® Prime Checking Account (2883205755)	22%	891.70	178.58	(713.12)	(79.97)%
Wells Fargo® Goal Savings (1153890502)	78%	616.64	616.67	0.03	0.00%
Total assets		\$1,508.34	\$795.25	(\$713.09)	(47.28)%

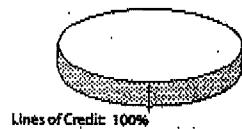
Total asset allocation (by account type)



Liabilities

Account (Account Number)	Percent of total	Outstanding balance last month (\$)	Outstanding balance this month (\$)	Increase/decrease (\$)	Percent change
Smartfit Home Equity LCA (6519200207-1998)	100%	198,749.81	198,680.81	(69.00)	(0.03)%
Total liabilities		\$198,749.81	\$198,680.81	(\$69.00)	(0.03)%

Total liability allocation (by account type)



Available credit

The information below may not be current. Be sure to verify the credit available on your accounts when accessing your credit lines.

Account	Approved credit line	Credit used	Credit available
Smartfit Home Equity LCA (6519200207-1998)	200,000.00	198,036.67	0.00
Total available credit	\$200,000.00	\$198,036.67	\$0.00

WELLS
FARGO

PMA® Prime Checking Account

Activity summary

Balance on 2/1	891.70
Deposits/Additions	0.02
Withdrawals/Subtractions	-713.14
Balance on 2/28	\$178.58

Account number: **2883205755****MARK KESEL***Wells Fargo Bank, N.A., California (Member FDIC)*Questions about your account: **1-800-742-4932**

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Interest earned this month	\$0.02
Average collected balance this month	\$560.59
Annual percentage yield earned	0.05%
Interest paid this year	\$0.05
Total interest paid in 2009	\$0.48

Transaction history

Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
Beginning balance on 2/1					891.70
2/16	WF Loan/Line Auto Pay 100212 515192002071998 Kesel Mark			713.14	178.56
2/26	Interest Payment		0.02		178.58
Ending balance on 2/28					178.58
Totals			\$0.02	\$713.14	



PMA® Prime Checking Account

Activity summary

Balance on 2/1	891.70
Deposits/Additions	0.02
Withdrawals/Subtractions	-713.14
Balance on 2/28	\$178.58

Account number: 2883205755

MARK KESEL

Wells Fargo Bank, N.A., California (Member FDIC)

Questions about your account: 1-800-742-4932

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	Beginning balance on 2/1				891.70
2/16	WF Loan/Line Auto Pay 100212 515192002071998 Kesel Mark			713.14	178.56
2/26	Interest Payment		0.02		178.58
	Ending balance on 2/28				178.58
	Totals		\$0.02	\$713.14	

146628

Wells Fargo® Goal Savings

Activity summary

Balance on 2/1	\$616.64
Deposits/Additions	0.03
Withdrawals/Subtractions	-0.00
Balance on 2/28	\$616.67

OK.

Account number: **1153890502**

MARK KESEL

Wells Fargo Bank, N.A., California (Member FDIC)

Questions about your account: **1-800-742-4932**

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Interest earned this month	\$0.03
Average collected balance this month	\$616.64
Annual percentage yield earned	0.06%
Interest paid this year	\$0.05
Total interest paid in 2009	\$0.31

Transaction history

Date	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
	Beginning balance on 2/1			616.64
2/26	Interest Payment		0.03	616.67
	Ending balance on 2/28			616.67
	Totals	\$0.03	\$0.00	



Bank of America



0702 P P
EO-2

CD 03/02 1 0000 322 14 603 007972 #01 AV 0.335

MARK KESEL
1025 SOLANO AVE
ALBANY CA 94706-1617

SMC

Your Bank of America Prima Account Statement

Statement Period:
January 27 through February 23, 2010

Account Number: 07028-01795

At Your Service
Call: 510.649.6600

Written Inquiries
Bank of America
Albany Branch
PO Box 37176
San Francisco, CA 94137-0176

Customer since 1994
Bank of America appreciates your
business and we enjoy serving you.

Our free Online Banking service allows you to check balances, track account activity, pay bills and more. With Online Banking you can also view up to 18 months of this statement online and even turn off delivery of your paper statement. Enroll at www.bankofamerica.com.

Summary of Your Prima Interest Checking Account

Beginning Balance on 01/27/10	\$379.63
Ending Balance	\$379.63

OK

Number of ATM withdrawals and transfers	0
Number of purchase transactions	0
Number of 24 Hour Customer Service Calls	
Self-Service	0
Assisted	0

Important Information About Your Account

Total interest paid to your account in 2009: \$2.14

Bank of America News

Stay ahead of your bills—such as rent, mortgage, credit card or utility payments—by setting up automatic reminders to be sent right to your e-mail or smart phone. With Payment Reminders from Bank of America®, it's easy to know when a payment is due. Get started at bankofamerica.com/solutions today.

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FACTS - FDIC Insured Account Disclosure Information

We recently made changes to our Overdraft Protection Transfer Fee to better serve you. Effective immediately, when we determine your account is overdrawn by a total amount less than \$10 for a day and we transfer funds from your linked savings account to cover it, we will not charge an Overdraft Protection Transfer Fee. Overdraft Protection lets you link your checking account to another account to help avoid overdrafts. If you haven't already signed up, call the number on your statement or visit your nearby banking center and an associate can help you.

California

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Recycled Paper

NEOVISION, LLC
 1025 SOLANO AVE
 ALBANY CA 94706

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FREE BUSINESS CHECKING ACCOUNT 41317564

LAST STATEMENT	01/29/10	6,720.13
3 CREDITS		6,306.38
7 DEBITS		7,631.39
THIS STATEMENT	02/26/10	5,395.12

DEPOSITS

REF #	DATE	AMOUNT	REF #	DATE	AMOUNT	REF #	DATE	AMOUNT
	02/09	2,000.00		02/17	3,956.38		02/26	350.00

CHECKS

CHECK #	DATE	AMOUNT	CHECK #	DATE	AMOUNT	CHECK #	DATE	AMOUNT
1009*02/02	400.00	1011 02/22	111.30					
1010 02/23	149.33	1012 02/24	384.80					

(*) INDICATES A GAP IN CHECK NUMBER SEQUENCE

OTHER DEBITS

DESCRIPTION	DATE	AMOUNT
Bank of America MORTGAGE 055594921	02/03	5,549.32
CHECK # 1007 - RETAIL SERVICES1 CHECKPAYMT 1007	02/03	82.00
CHECK # 1009 - CITICARD PAYMENT CHECK PYMT 1009	02/16	954.64

DAILY BALANCE

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
02/02	6,320.13	02/16	1,734.17	02/23	5,429.92
02/03	688.81	02/17	5,690.55	02/24	5,045.12
02/09	2,688.81	02/22	5,579.25	02/26	5,395.12